

**STATEMENT OF FINDINGS
AND
FINDING OF NO
SIGNIFICANT IMPACTS**

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CHANNEL MAINTENANCE DREDGING AND OPEN WATER DISPOSAL
BETWEEN HIWASSEE RIVER MILES 10 - 18
MCMINN AND BRADLEY COUNTIES, TENNESSEE

1. Under the authority of Rivers and Harbors Act of July 3, 1930, ch. 847, 46 Stat. L. 927 (1930), the Nashville District Corps of Engineers has evaluated alternatives for maintaining the navigation channel to a navigable depth of nine feet in the Hiwassee River between Hiwassee River Miles (HRM) 10 and 18. Specific river reaches in need of maintenance dredging are located between HRM 11.5 - 13 and HRM 16.5 - 17.5. The dredged sediment would be placed in the back chute of Ledford Island (also known as Raht Island) between HRM 11.6 - 12.1. The Tennessee Valley Authority (TVA) is a cooperating agency for this project.

2. On May 24, 2006 a scoping letter describing the proposed project was sent to federal, state, and local agencies, industry, public and private groups requesting input. In accordance with ER 200-2-2, Policy and Procedures for Implementing NEPA, an Environmental Assessment (EA) was prepared and comments received during scoping have been addressed in the EA. Six alternatives were evaluated including 1) No Action, 2) channel maintenance dredging and open water disposal, 3) dredging and upland disposal, 4) changing reservoir operations to raise minimum pool level, 5) dredging and open water disposal at a new disposal site, and 6) privatization of channel maintenance. The EA determined that no significant adverse environmental impacts would result from the preferred alternative: 2) channel maintenance dredging and open water disposal. The EA further determined that the No Action alternative would have serious negative impacts and that all other alternatives were impractical at this time.

3. The proposed work would result in some minor and relatively short-term impacts during dredging and disposal activities. Although there would be temporary turbid conditions induced by the dredging, long-term water quality conditions and fisheries

would not be significantly impacted. Measures would be incorporated into the plans for this project to reduce and/or offset the negative impacts. Dredging and disposal operations would ensure a safe navigation channel.

4. A Public Notice (PN) pursuant to Section 404 of the Clean Water Act, No. 99-32, was circulated for public comment on Month __, 2007, for thirty days. The PN included a Notice of Availability of the EA, unsigned Finding Of No Significant Impact (FONSI), and the 2005 Sediment Report. All comments received in response to the PN have been addressed in the Environmental Assessment.

5. A cultural resource assessment of the proposed project was conducted in accordance with the District's responsibilities under Section 106 of the National Historic Preservation Act. Project documentation has been provided to the Tennessee State Historic Preservation Officer (SHPO). By way of letter dated 29 June 2006, the SHPO concurred with Corps findings in the determination that the project will have no effect on properties listed in or eligible for listing in the National Register of Historic Places.

6. The U.S. Fish and Wildlife Service responded by letter dated 10 July 2006 and stated that according to their records, no listed threatened or endangered species are known to reside in the area encompassed by this proposed project. Also, the project is in an attainment area as described under the provisions of the Clean Air Act.

7. The U.S. Environmental Protection Agency responded by letter dated 26 June 2006 regarding water quality and aquatic community concerns. TVA conducted a sediment survey on 8 September 2006 to evaluate sediment quality between HRM 10 - 18. Sediment samples were collected at both the proposed dredging and disposal sites. The material consisted of fine-grained material (silt, clay, and some very fine sand) and organic material (decaying plant matter). The following parameters were analyzed: Percent Moisture, Metals (Total), Mercury (Total), Pesticides, Polycyclic Aromatic Hydrocarbons (PAHs), Dioxins and Furans, Polychlorinated Biphenyls (PCBs) Total Organic Carbon (TOC), and Particle Size. Results were compared to reference sediment, TVA historical data, and sediment quality guidelines. This information supports the conclusion that the sediment does not contain contaminants of concern in concentrations that would result in any adverse impacts on biota because of this project. No additional analysis is required.

8. A 404(b)(1) evaluation was completed, and Water Quality Certification has been received from the Tennessee Department of Environment and Conservation dated Month __, 2007.

9. I have reviewed the EA for maintenance of the Hiwassee River navigation channel at the locations noted above, the comments and responses to the EA review, and all supporting documentation. There are no significant adverse impacts or unresolved issues. In addition, I have evaluated the proposed placement of fill material in accordance with the guidelines promulgated by the Administrator of the Environmental Protection Agency pursuant to Section 404(b)(1) of the Clean Water Act. Based on this evaluation, it is my finding that the proposed disposal site for the discharge of fill material is specified as complying with the requirements of the 404(b)(1) guidelines.

10. In light of the general public interest, I have determined that the work would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. Accordingly, I have concluded that an Environmental Impact Statement covering the proposed work is not required. Furthermore, having weighed the potential benefits that may be accrued as a result of implementing the recommended plan against the reasonable foreseeable detrimental effects, I conclude that dredging and open water disposal to maintain the Hiwassee River navigation channel, as proposed, is in the public interest.

Date: _____

Steven J. Roemhildt, P.E.
Lieutenant Colonel
Corps of Engineers
District Engineer